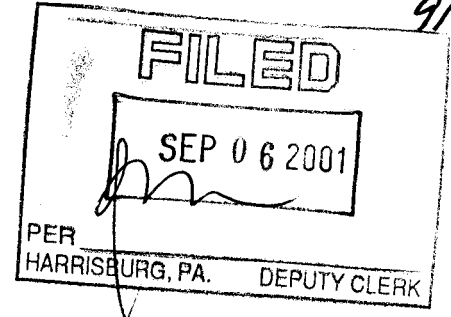


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ORIGINAL



**In the United States District Court for the  
Middle District of Pennsylvania**

GREENE/GUILFORD ENVIRONMENTAL  
ASSOCIATION, a non-profit corporation incorporated  
under the laws of the Commonwealth of Pennsylvania,  
CITIZENS FOR PLANNED COMMUNITY GROWTH,  
an unincorporated association organized under the laws of  
the Commonwealth of Pennsylvania, PAUL B. AMBROSE,  
JOHN G. ENDERS, CHARLES F. RAHAUSER,  
BETSY RAHAUSER, DOUGLAS A. WARNOCK, U.X  
VAGNERINI, THOMAS W. BUNDY, STEPHEN P.  
BUCHER, ROGER J. ROBERTSON, JAMES A.  
STRITE, JR., DAVID A. GUTHRIE

Civ. No. 1:CV-01-0910

(Judge Rambo) —

v.

KEN WYKLE, Administrator, Federal Highway  
Administration, ROBERT GATZ, Federal  
Highway Administration.

**ANSWER TO BRADLEY MALLORY'S MOTION TO INTERVENE**

AND NOW, come the Plaintiffs in the above-captioned case to Answer Bradley L.  
Mallory's Motion to Intervene as follows:

1. Admitted.

2. Admitted.

3. Denied as stated. The proposed intervenor was responsible for the drafting of the environmental and historic preservation documents. The defendant Federal Highway Administration (FHWA) was responsible for ensuring that the actions of the proposed intervenor complied with the dictates of the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA).

4. Admitted.

5. Admitted in Part, Denied in Part. The Plaintiffs deny that a "significant portion" of the construction costs for the project will be provided by the Pennsylvania Department of Transportation [PennDOT].

6. Denied.

7. Denied. The agency responsible for guaranteeing compliance with the dictates of relevant federal law was the FHWA. As such, the FHWA adequately represents the interests of the proposed Intervenor.

**New Matter**

1. Proposed Intervenor Bradley L. Mallory failed to seek concurrence from the Plaintiffs on the Motion to Intervene, as required by Local Rule 7.1.

2. The Plaintiffs do not object to Bradley L. Mallory's intervention in this matter.

**CERTIFICATE OF SERVICE OF PROCESS**

I, Thomas Linzey, hereby swear and affirm that I have served the accompanying ANSWER TO BRADLEY MALLORY'S MOTION TO INTERVENE on the Parties identified below by the following method:

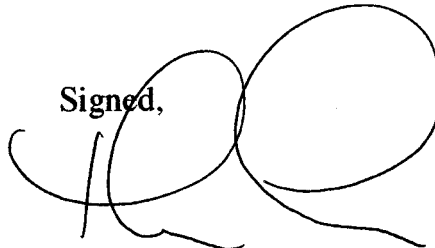
**Pre-Paid First Class U.S. Mail**

The following individuals were served with the ANSWER:

Anne K. Fiorenza, Esq.  
Martin Carlson, Esq.  
Acting U.S. Attorney for the Middle District of Pennsylvania  
Suite 217, Federal Building  
228 Walnut Street  
Harrisburg, Pennsylvania 17108-1754

Kenda Jo Gardner, Esq.  
Office of Chief Counsel  
Pennsylvania Department of Transportation  
P.O. Box 8212  
Harrisburg, Pennsylvania 17105-8212

Signed,

A handwritten signature in black ink, appearing to be 'T. Linzey', written over a horizontal line.

Thomas Alan Linzey, Esq.  
Community Environmental Legal Defense Fund (CELDF)  
2859 Scotland Road  
Chambersburg, Pennsylvania 17201

*Counsel for the Plaintiffs*

Dated this 4th Day of September, 2001